

Attorney Docket No.: 021258-001310US

PTO/SB/01A (08-03)

**DECLARATION (37 CFR 1.63) FOR UTILITY OR DESIGN APPLICATION USING AN APPLICATION DATA SHEET (37 CFR 1.76)**

<b>Title of Invention</b>	<b>MEDICAL DEVICES HAVING POROUS LAYERS AND METHODS FOR MAKING SAME</b>
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As the below named inventor(s), I/we declare that:

This declaration is directed to:

- ☐ The attached application, or
- ☒ Application No. 10/713,244, filed on November 13, 2003,
- ☐ as amended on \_\_\_\_\_ (if applicable);

I/we believe that I/we am/are the original and first inventor(s) of the subject matter which is claimed and for which a patent is sought;

I/we have reviewed and understand the contents of the above-identified application, including the claims, as amended by any amendment specifically referred to above;

I/we acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me/us to be material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT International filing date of the continuation-in-part application.

All statements made herein of my/our own knowledge are true, all statements made herein on information and belief are believed to be true, and further that these statements were made with the knowledge that willful false statements and the like are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001, and may jeopardize the validity of the application or any patent issuing thereon.

**FULL NAME OF INVENTOR(S)**Inventor 1 WHYE-KEI LYEDate: 3/29/04Signature: Citizen of: United StatesInventor 2 KAREEN LOOIDate: 3/29/04Signature: Citizen of: United StatesInventor 3 MICHAEL L. REEDDate: 3/29/04Signature: Citizen of: United States

Inventor 4 \_\_\_\_\_

Date: \_\_\_\_\_

Signature: \_\_\_\_\_

Citizen of: \_\_\_\_\_

☐ Additional inventors are being named on additional form(s) attached hereto.

\* \* \* COMMUNICATION RESULT REPORT ( APR. 7.2004 10:47AM ) \* \* \*

TTI TTC-PA 650-326-2422

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Atty Docket No. 021258-001310US

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ATTENTION: ASSIGNMENT BRANCH  
TELEPHONE NO.: (703) 308-9723

Group Art Unit 3737

## OFFICIAL COMMUNICATION

## FOR THE PERSONAL ATTENTION OF

## ASSIGNMENT BRANCH

## CERTIFICATION OF FACSIMILE TRANSMISSION

I hereby certify that the following document(s) in re Application of LYE et al., Application No. 10/713,244, filed November 13, 2003 for MEDICAL DEVICES HAVING POROUS LAYERS AND METHODS FOR MAKING SAME, is being facsimile transmitted to the Patent and Trademark Office on the date shown below.

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TELEPHONE NO.: (703) 308-9723

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Dated: 4/7/04

  
Jodie M. Rivas


Document(s) Attached

1. RECORDATION FORM COVER SHEET (1 page)
2. ASSIGNMENT OF PATENT APPLICATION (1 page)

*PLEASE CONFIRM RECEIPT OF THIS PAPER BY  
RETURN FACSIMILE AT (415) 576-0300*

TOWNSEND and TOWNSEND and CREW LLP  
Two Embarcadero Center, 8th Floor  
San Francisco, CA 94111-3834  
Telephone: 650-326-2400  
Fax: 650-326-2422  
60180782 v1



Form PTO-1595 (Rev. 10-02) OMB No. 0851-0027 (exp. 5/31/2002)		<b>Recordation Form Cover Sheet</b> <b>PATENTS ONLY</b>		U.S. Department of Commerce U.S. Patent and Trademark Office	
Tab settings ⇨⇨⇨▽ ▽ ▽ ▽ ▽ ▽ ▽ ▽					
To the Honorable Commissioner of Patents and Trademarks. Please record the attached original documents or copy thereof					
1. Name of conveying party(ies):  KAREEN LOOI  Additional name(s) of conveying party(ies) attached? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No.			2. Name and address of receiving party(ies)  Name: Setagon, Inc.  Internal Address:  Street Address: 2020 Avon Court, Suite 7  City: Charlottesville State: VA ZIP: 22902  Additional name(s) and address(es) attached? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
3. Nature of conveyance:  <input checked="" type="checkbox"/> Assignment <input type="checkbox"/> Merger <input type="checkbox"/> Security Agreement <input type="checkbox"/> Change of Name <input type="checkbox"/> Other:			Execution Date: <u>March 5, 2004</u>		
4. Application number(s) or patent number(s):  If this document is being filed together with a new application, the execution date of the application is:  A. Patent Application No(s): 10/713,244 B. Patent No(s):  Additional numbers attached? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No					
5. Name and address of party to whom correspondence concerning document should be mailed:  Name: Scott M. Smith, M.D. TOWNSEND AND TOWNSEND AND CREW LLP Two Embarcadero Center, Eighth Floor San Francisco, California 94111-3834 (415) 576-0200			6. Total number of applications and patents involved 1  7. Total fee (37 CFR 3.41): -----\$40.00  <input type="checkbox"/> Enclosed <input checked="" type="checkbox"/> Authorized to be charged to deposit account  8. Deposit account number: 20-1430  (Attach duplicate copy of this page if paying by deposit account)		
<b>DO NOT USE THIS SPACE</b>					
9. Statement and signature.  <i>To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.</i>  Scott M. Smith, M.D. Name of Person Signing Atty. Reg. No. 48,268   Signature  4/7/04 Date					

Total number of pages including cover sheet, attachments and documents: 2

Mail documents to be recorded with required cover sheet information to:  
Mail Stop Assignment Recordation Services  
Director of the U.S. Patent and Trademark Office  
P.O. Box 1450  
Alexandria, VA 22313-1450

ASSIGNMENT OF PATENT APPLICATION

WHEREAS, KAREEN LOOI of 1060 Ramblewood Place, Charlottesville, VA 22901; hereinafter referred to as "Assignor," is the inventor of the invention described and set forth in the below-identified application for United States Letters Patent:

Title of Invention: MEDICAL DEVICES HAVING POROUS LAYERS AND METHODS FOR MAKING SAME

Date(s) of execution of Declaration:

Filing Date: November 13, 2003

Application No.: 10/713,244; and

WHEREAS, Setagon, Inc., a corporation of the state of Delaware, located at 2020 Avon Court, Suite 7, Charlottesville, VA, 22902, hereinafter referred to as "ASSIGNEE," is desirous of acquiring an interest in the invention and application and in any U.S. Letters Patent and Registrations which may be granted on the same;

For good and valuable consideration, receipt of which is hereby acknowledged by Assignor, Assignors has assigned, and by these presents does assign to Assignee all right, title and interest in and to the invention and application and to all foreign counterparts (including patent, utility model and industrial designs), and in and to any Letters Patent and Registrations which may hereafter be granted on the same in the United States and all countries throughout the world, and to claim the priority from the application as provided by the Paris Convention. The right, title and interest is to be held and enjoyed by Assignee and Assignee's successors and assigns as fully and exclusively as it would have been held and enjoyed by Assignor had this Assignment not been made, for the full term of any Letters Patent and Registrations which may be granted thereon, or of any division, renewal, continuation in whole or in part, substitution, conversion, reissue, prolongation or extension thereof.

Assignor further agrees that she will, without charge to Assignee, but at Assignee's expense, (a) cooperate with Assignee in the prosecution of U.S. Patent applications and foreign counterparts on the invention and any improvements, (b) execute, verify, acknowledge and deliver all such further papers, including patent applications and instruments of transfer, and (c) perform such other acts as Assignee lawfully may request to obtain or maintain Letters Patent and Registrations for the invention and improvements in any and all countries, and to vest title thereto in Assignee, or Assignee's successors and assigns.

IN TESTIMONY WHEREOF, Assignor has signed her name on the date indicated.

Dated: 3/5/04

  
KAREEN LOOI

**POWER OF ATTORNEY TO PROSECUTE APPLICATIONS BEFORE THE USPTO**

I hereby appoint:

☒ Practitioners associated with the Customer Number**20350**

OR

☐ Practitioner(s) named below (if more than ten patent practitioners are to be named, then a customer number must be used):

Name	Registration Number

as attorney(s) or agent(s) to represent the undersigned before the United States Patent and Trademark Office (USPTO) in connection with any and all patent applications assigned only to the undersigned according to the USPTO assignment records or assignment documents attached to this form in accordance with 37 CFR 3.73(b).


Assignee Name and Address:

Setagon, Inc.  
2020 Avon Court, Suite 7  
Charlottesville, VA 22902

A copy of this form, together with a statement under 37 CFR 3.73(b) (Form PTO/SB/96 or equivalent) is required to be filed in each application in which this form is used. The statement under 37 CFR 3.73(b) may be completed by one of the practitioners appointed in this form if the appointed practitioner is authorized to act on behalf of the assignee, and must identify the application in which this Power of Attorney is to be filed.

**SIGNATURE of Assignee of Record**

The individual whose signature and title is supplied below is authorized to act on behalf of the assignee

Name	Kareen Looi		
Signature		Date	3/29/04
Title	CHIEF EXECUTIVE OFFICER	Telephone	434-220-0516

**STATEMENT UNDER 37 CFR 3.73(b)**Applicant/Patent Owner: LYE et al.Application No./Patent No.: 10/713,244Filed/Issue Date: November 13, 2003Entitled: MEDICAL DEVICES HAVING POROUS LAYERS AND METHODS FOR MAKING SAMESETAGON, INC., a DELAWARE CORPORATION

(Name of Assignee)

(Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1. ☒ the assignee of the entire right, title, and interest; or
2. ☐ an assignee of less than the entire right, title and interest.  
The extent (by, percentage) of its ownership interest is \_\_\_\_\_%

in the patent application/patent identified above by virtue of either:

- A. ☒ An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

OR

- B. ☐ A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:

1. From: \_\_\_\_\_ To: \_\_\_\_\_

The document was recorded in the United States Patent and Trademark Office at  
Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

2. From: \_\_\_\_\_ To: \_\_\_\_\_

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3. From: \_\_\_\_\_ To: \_\_\_\_\_

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☐ Additional documents in the chain of title are listed on a supplemental sheet.

- ☒ Copies of assignments or other documents in the chain of title are attached.

[NOTE: A separate copy (i.e., the original assignment document or a true copy of the original document) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the USPTO. See MPEP 302.8]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

3/29/04

Date

434-220-0516

Telephone number

KAREEN LOOI

Typed or printed name

[Signature]

Signature

CHIEF EXECUTIVE OFFICER

Title